

01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Carmela Lanzetta

SUMMONS IN A CIVIL ACTION

v.

Florios Enterprises Inc., d/b/a Florios Restaurant,
Ralph Amoruso and Lawrence Amoruso

08 CIV 6181

CASE NUMBER:

TO: (Name and address of Defendant)

RALPH AMORUSO
LAWRENCE AMORUSO
C/O FLORIO'S ENTERPRISES INC.
192 GRAND ST
NEW YORK, NEW YORK, 10013

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

D. Malmon Kirschenbaum
Joseph & Herzfeld LLP
757 Third Avenue
25th Floor
New York, NY 10017

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

1 JUL 08 2008

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

Carmela Lanzetta

) Case No.: 08 CIV 6181
) Filing Date: 07-08-2008
)
)

Plaintiff

)
 v.
 Florios Enterprise Inc. d/b/a Florios Restaurant, Ralph Amoruso and
 Lawrence Amoruso,
)
) ATTY:
) JOSEPH & HERZFIELD, LLP Attorneys at Law
) 757 Third Avenue, 25th Floor
) New York, NY 10017
)

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Kings ss:

I, LOAIF SARSOUR, being duly sworn deposes and says deponent is not a party to this action, I am over the age of eighteen years and reside in the state of New York. That on JULY 28, 2008 at 2:10 PM at 192 GRAND STREET, NEW YORK, NY 10013, recipients RESTAURANT deponent served the within SUMMONS IN A CIVIL CASE AND COMPLAINT AND DEMAND FOR JURY TRIAL on FLORIOS ENTERPRISE INC. D/B/A FLORIOS RESTAURANT, RALPH AMORUSO AND LAWRENCE AMORUSO, herein named.

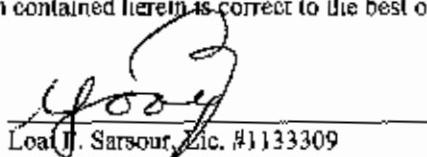
CORPORATION: a corporation by delivering thereat a true copy of each to JOHN DOE (REFUSED TO PROVIDE NAME) personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be the OWNER authorized agent thereof.

DESCRIPTION: Deponent further states that the description of the person actually served is as follows:
 Gender: Male Race/Skin: White Hair: Brown Glasses: No Age: 35 Height: 6'-0" Weight: 175

COMMENTS: I asked a waiter for an owner/officer in charge. He pointed out the individual who I served. John Doe refused to provide his name to me.

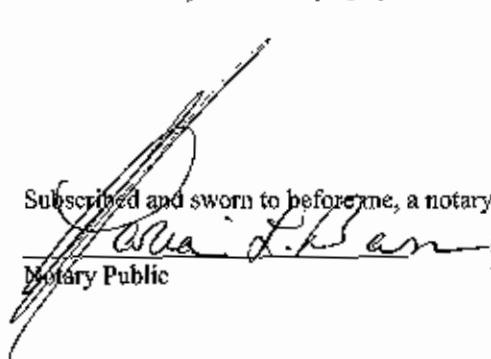
MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.


 Loai J. Sarsour, Inc. #1133309

7-30-08
Executed on:

Subscribed and sworn to before me, a notary public, on this 30th day of July, 2008.


 Notary Public

My Commission Expires:

MARIAL BASS
 Notary Public, State of New York
 No. 01BAB107280
 Qualified in Kings County
 Commission Expires March 22, 2011

ID: 08-008319

Client Reference: Lanzetta